

EXHIBIT 49



Penalty #20221104

St. Lawrence County
DEPARTMENT OF WEIGHTS & MEASURES

Consumer Affairs

44 Park St. / Canton, NY 13617 / 315-379-9734

November 8, 2022

RETURN RECEIPT REQUESTED

Dollar General Store #16163
Attn: Store Manager
57 South Main Street
Norwood, NY 13668

Re: Item Pricing/Scanner Accuracy Inspection Report dated 11/4/22

Evidence has been submitted to this office indicating that on the date of November 4, 2022, an inspector from this Department visited your establishment and found violation(s) of the provisions of St. Lawrence County Local Law No. 6 for the year 1998, which states:

"Section Seven: WAIVER OF THE ITEM PRICING REQUIREMENT FOR CERTAIN STORES WHICH MAINTAIN A VERY HIGH DEGREE OF COMPUTER ASSISTED PRICING ACCURACY.

A. Retail stores, with "computer assisted checkout systems" who do not place price stickers on individual stock keeping units, shall be required to:

- 2. Achieve and maintain a pricing accuracy level of 98% from an inspection of not less than 100 nor more than 200 stock keeping units, which shall represent a cross section of all stock keeping units offered for sale.....***

D. The following penalties are established for pricing accuracy inspection violations, based on a sample of not less than one hundred nor more than two hundred stock keeping units. A violation exists when the programmed computer price exceeds the retail price.

- 1. Ninety-eight (98%) or better pricing accuracy, pricing corrected.***
- 2. Ninety-seven (97%) pricing accuracy, a penalty of five hundred dollars (\$500.00)***
- 3. Ninety-six (96%) pricing accuracy, a penalty of seven hundred fifty dollar (\$750.00)***
- 4. Ninety-five (95%) pricing accuracy, a penalty of one thousand dollars (\$1,000.00).***
- 5. Below ninety-five (95%) pricing accuracy, a penalty of fifteen hundred dollars (\$1,500.00)***

F.4. In the event that total violations in excess of two percent (2%) are discovered in the inspections provided for, the St. Lawrence County Department of Weights and Measures shall not grant a waiver to the applicant. Such a store must promptly reapply for a waiver, and pay the required fee to the St. Lawrence County Department of Weights and Measures within five (5) business days after being notified of the failure. Stores which do not reapply must be in compliance with all the requirements of the item pricing law.

If a penalty of \$500.00 is received at this office within a timely fashion and the objectionable conditions have been remedied, such amount will be accepted as full settlement of this matter. Such payment will not be

considered as an admission of liability, nor will this office be prevented from conducting similar inspections in the future.

Additionally, be aware that as a result of failing to achieve an average accuracy of 98%, with an average accuracy of 96.5%, you are required to reapply for a waiver per Section 7.F.4 of the St. Lawrence County Item Pricing Law. The waiver application and required \$750.00 fee must be received within FIVE (5) business days after being notified of the failure. Stores which do not reapply must immediately comply with all requirements of the item pricing law.

If you would like an opportunity to discuss this matter at an informal conference with the Municipal Director, please make the request in a formal letter. Such a request must be received at this office within 10 days from the date of this letter.

Failure to comply with this demand will result in a referral of this matter to the County Attorney, for commencement of an action to recover the full statutory penalty, plus court costs.

Remittance may be submitted to this office by certified check, bank check, or by postal or express money order, payable to the St. Lawrence County Treasurer. Payment should be mailed to St. Lawrence County, Dept. of Weights and Measures, 44 Park Street, Canton, NY 13617.

Sincerely,



Adam R. Simmons
Director, St. Lawrence County Weights & Measures

Department of Weights & Measures/Consumer Affairs
44 Park Street
Canton, NY 13617
Phone: 315-379-9734
Fax: 315-379-9077
Email: Adamsimmons@stlawco.org

Enclosure - Item Pricing/Scanner Accuracy Inspection Report Dated 10/26/22 & 11/4/22

cc: Dollar General Corp., Attn: Legal Dept., 100 Mission Ridge, Goodlettsville, TN 37072

St. Lawrence County
DEPARTMENT OF CONSUMER AFFAIRS / WEIGHTS AND MEASURES
 44 Park St., Canton, NY 13617 / 315-379-9734

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DATE: 11/4/22

ITEM PRICING / SCANNER ACCURACY INSPECTION REPORT

☐ Item Pricing ☒ Waiver ☐ Scanner Accuracy

PRICE CODE: SH - Shelf Priced
 I - Item Priced
 SA - Sale Priced
 AD - Ad Priced

Business Name / Address: Dollar General Store # 16163 57 South Main Street Neward NY 13668

Item Pricing			Waiver		Price		Retail		Price		Scanned		Remarks		+ -	
Stock Keeping Unit Item, Brand, Size	UPC Number	Lot # Size	Not Priced	Price Sign?	Price	Sign?	Price	Code	Price	Code	Price	Code	Remarks			
1. Glad QT	12507 22323				Y		4.95	SH	9.75				customer moved item			
2. Rg Soft wound dressing	93489 03089				Y		3.65	SH	4.65				violation			
3. Presto crissis	41679 67466				Y		16.75	SH	10.00				customer moved item			
4. Tres sand moretungen	50019 52038				Y		2.25	SH	1.75				Inspector error			
5. TL 18 Roll ultra	13100 30220				Y		13.75	SH	14.50				violation			
6. White clear	35905 80026				Y		16.25	SH	16.65				Inspector Error			
7. Miller light	34100 57340				Y		12.95	SH	15.20				violation			
8.																
9.																
10.																
11.																
12.																
13.																
14.																
15.																
Total Violations:															3	

COMMENTS: 2d waiver renewal inspection 100 items scanned
3 violations found 97% accuracy

Customer Price Check Scanner Available? YES ☒ NO ☐
 Approved Customer Price Check Scanner Sign? YES ☒ NO ☐
 Customer Price Check Scanner Functional? YES ☒ NO ☐

Acknowledged by: Dalalu Brunkfeld Inspector: Jeffery 376

St. Lawrence County
DEPARTMENT OF CONSUMER AFFAIRS / WEIGHTS AND MEASURES
 44 Park St., Canton, NY 13617 / 315-379-9734

DATE: 10/26/22

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ITEM PRICING / SCANNER ACCURACY INSPECTION REPORT

☐ Item Pricing ☐ Waiver ☐ Scanner Accuracy

PRICE CODE: SH - Shelf Priced
 I - Item Priced
 SA - Sale Priced
 AD - Ad Priced

Business Name / Address: Dollar General Store #16163 57 South Main Street Nanuet NY 13668

Stock Keeping Unit Item, Brand, Size	UPC Number	Item Pricing		Waiver		Retail Price	Price Code	Scanned Price	Remarks	-	+
		Lot #	Not Priced?	Price Sign?							
1. A Wick mist refill	62338 01111			Y		12.00	SH	6.00	Error		
2. Twinklers Black Wreath	34000 56000			Y		2.50	SH	3.00	Violation		
3. Kind Bar chex nuts	02652 17651			Y		1.75	SH	1.95	Violation		
4. Rx Omega 3	01220 18076			Y		3.75	SH	3.95	Violation		
5. Rx Vit B12	01220 03864			Y		5.50	SH	5.75	Violation		
6. Cologne TIL Adv. Body	35000 97218			Y		6.35	SH	5.65	Error		
7.											
8.											
9.											
10.											
11.											
12.											
13.											
14.											
15.											
Total Violations:										4	

COMMENTS: 1st waived renewed inspection 100 items scanned
4 violations found 96% Accuracy

Customer Price Check Scanner Available? YES ☒ NO ☐
 Approved Customer Price Check Scanner Sign? YES ☒ NO ☐
 Customer Price Check Scanner Functional? YES ☒ NO ☐

Acknowledged by: [Signature] Inspector: [Signature]
 rev 150904